

REMARKS

Claims 1, 3-7, 9-11 and 20-23 are pending in this application. Claims 2, 8 and 12-19 have been canceled without prejudice to or disclaimer of the underlying subject matter. Claims 1, 3-7 and 9-11 have been amended. Claims 20-23 are new. No new matter has been added.

The specification has been amended to correct a typographical error. Specifically, line 19 at page 6 which recites the phrase "In the claims:" has been deleted.

The Abstract has been amended to be in proper narrative form. Applicant respectfully submits that the rejection of paragraph 3 with respect to the Abstract has been overcome and request that this rejection be withdrawn. The informalities listed in paragraph 5 with respect to claims 1 and 9 have been corrected and the claim objections have been overcome.

With respect to the claim rejections under 35 U.S.C. § 112 described in paragraphs 6-8, Applicant has removed the objectionable language in claims 1 and 4. Applicant respectfully requests that these claim rejections be withdrawn.

In view of the foregoing amendments and following remarks, Applicant respectfully requests the Examiner to reconsider and withdraw all outstanding grounds of rejection. Applicant respectfully requests allowance of the application.

The pending rejections with respect to the claims are addressed below.

The Office Action rejects under 35 U.S.C. § 102(e) claims 1-7, 9-15 and 17-19 as being anticipated by Mintz, U.S. Patent No. 6,305,007 (hereinafter *Mintz*). Claims 8 and 16 stand rejected under 35 U.S.C. § 103(a) as being un-patentable over *Mintz*.

With regards to claims 8 and 16, Applicant respectfully traverses the rejection of and the Official Notice that "static casting" was known at the time of invention. Applicant requests that the Office provides a reference citation that supports this assertion. MPEP § 2144.03 indicates that it would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known (emphasis in original). The MPEP further states that assertions of technical facts in the areas of esoteric technology or specific knowledge of the prior art must always be supported by some reference work recognized as standard in the pertinent art. Accordingly, the Applicant

requests that a reference citation with respect to the rejection claims 8 and 16 be provided or the rejection be withdrawn.

With regards to claims 1-7, 9-15 and 17-19, Applicant respectfully traverses the rejection based on *Mintz*. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 Fed. Cir. 1987). Applicants submit that *Mintz*, the applied reference, does not expressly or inherently describe each and every element of the claimed invention.

Applicant respectfully submits that *Mintz* does not disclose or suggest at least “mapping software residing in memory, wherein the at least one processor executes the mapping software to map an object onto the non-object oriented data located in the memory using zero size object mapping, wherein the zero size object mapping does not require memory in addition to a portion of the memory storing the non-object oriented data” as recited, among other features, in independent claim 1 (as presented).

Generally, *Mintz* relates to a method of wrapping legacy data structures that enables the data structures to be used with an object-oriented program and enables a single object to access related attributes in multiple legacy data structures. *Mintz* provides access to legacy data during runtime using dynamic casting. See e.g., col. 5, lines 1 – 9 and col. 3, lines 15 – 35. However, *Mintz* does not disclose or suggest using “zero size object mapping” as recited in claim 1, for example. The method described in *Mintz* describes dynamic casting and base wrapper classes which inherently require additional memory. In contrast, as recited in the claims, zero size object mapping does not require memory in addition to a portion of the memory storing the non-object oriented data.

To support the rejection of claim 1, the Office Action cites, for example, col. 4, lines 1-34 and 60-67, col. 3, lines 15-35 and col. 6, lines 22-31 of *Mintz*. However, the cited sections do not disclose the use of zero size object mapping that does not require memory in addition to a portion of the memory storing the non-object oriented data, as recited in independent claim 1, for example.

Therefore, Applicants respectfully submit that claim 1 is in condition for allowance over *Mintz* for at least these reasons.

Applicant respectfully submits that *Mintz* does not disclose or suggest “mapping an object oriented model onto a memory space occupied by the non-object oriented data without

requiring additional memory space" as recited, among other features, in independent claim 4 (as presented). As stated above with respect to independent claim 1, *Mintz* (e.g., at col. 4, lines 1-34 and 60-67, col. 3, lines 15-35 and col. 6, lines 22-31) does not disclose or suggest this feature. In contrast, *Mintz* uses dynamic casting that inherently requires additional memory space. Therefore, Applicant respectfully submits that independent claim 4 is in condition for allowance over *Mintz* for at least these reasons.

Applicant respectfully submits that *Mintz* does not disclose or suggest "mapping object oriented data onto non-object oriented data stored in memory using zero size mapping...static casting a non-object oriented data element from the non-object oriented data with an object oriented data element" as recited, among other features, in independent claim 20 (new). As stated above, *Mintz* describes the use of dynamic casting which inherently adds additional memory. Therefore, Applicant respectfully submits that new claim 20 is in condition for allowance over *Mintz* for at least these reasons.

Claim 3 depends from independent claim 1, claims 5-7 and 9-11 depend from independent claim 4, and new claims 21-23 depend from new independent claim 20. Therefore, claims 3, 5-7, 9-11 and 21-23 are in condition for allowance for at least the reasons stated above with respect to the claim from which they depend and the independent features they recite.

CONCLUSION

In view of the above amendments and remarks, Applicant believes that all of the objections and rejections against this application have been fully addressed and that the application is now in condition for allowance. Therefore, withdrawal of the outstanding objections and rejections and a notice of allowance for the application is respectfully requested.

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

If the Examiner believes that a personal or telephonic interview would be of value in expediting the prosecution of this application, the Examiner is hereby invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,



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